



Op 1631

Docket No. 104.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Eugene S. Pearlman

SERIAL NO.: 09/303,315

Group Unit:1631

FILED: April 30, 1999

Ex: Lori A. Clow

FOR: ALGORITHMIC TESTING IN LABORATORY MEDICINE

PRELIMINARY AMENDMENT- Response to Office Communication

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicant files the following amendments in response to the Office Communication mailed on January 9, 2004, stating the claim 12 was non compliant with 37 CFR 1.121 and claims 12 and 18 directed to the elected species were mistakenly cancelled. In response, claim 12 (original) is included. However, the Action is wrong in stating that claim 18 was cancelled. Claim 18 was included on page 15-16 of the November 4, 2003 Response as (previously amended). Applicant's attorney apologizes for the informalities and submits the claims below. The Remarks (other than related to Policy) made in the November 4, 2003 are incorporated herein.